

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CONCERNED CITIZENS OF THE CITY :  
OF DUQUESNE (LARRY HASAN), :  
Plaintiff, :  
v. : Case No. 3:14-cv-250-KRG-KAP  
PENNSYLVANIA DEPARTMENT OF :  
EDUCATION, et al., :  
Defendants :

MEMORANDUM ORDER

This matter is before Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636 and Local Rule 72 for Magistrate Judges.

The Magistrate Judge filed Reports and Recommendations on June 2, 2015, docket no. 41, recommending that defendants' motions to dismiss at docket no. 5, docket no. 18, and docket no. 21, be granted; and on June 8, 2015, docket no. 42, recommending that defendants' motions to dismiss at docket no. 23 and docket no. 25, be granted. See also docket no. 44.

The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Report and Recommendation. Plaintiff filed objections that are meritless.

The Magistrate Judge also issued a notice under Fed.R.Civ.P. 4(m) to serve the remaining defendants on or before July 9, 2015, see docket no. 48. No return of service has been filed for defendants Ramond J. Hess and Able-Hess Inc.

After de novo review of the record and the Reports and Recommendations and the objections thereto, the following order is entered:

AND NOW, this 26<sup>th</sup> day of August, 2015, it is

ORDERED that defendants' motions to dismiss, at docket no. 5, docket no. 18, docket no. 21, and docket no. 25 are granted. The Reports and Recommendations are adopted as the opinion of the Court. The complaint is dismissed as to defendants Ramond J. Hess and Able Hess Inc. for failure to file a timely return of service. The Clerk shall mark this matter closed. The Rule 11 motion at docket no. 36 remains with the Magistrate Judge for further proceedings.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style with a large initial "K".

KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

Larry A. Hasan  
209 Library Court  
Duquesne, PA 15110